

COMMONWEALTH OF MASSACHUSETTS

THIS IS NOTICE OF THE REGULARLY SCHEDULED MEETING OF THE  
BOARD OF REGISTRATION IN NURSING

Wednesday February 13, 2013  
9 a.m. to 2 p.m.

239 Causeway Street ~ 4<sup>th</sup> Floor ~ Room 417A  
Boston, Massachusetts 02114

Agenda

As of 2/6/2013 3:05 PM

Time	Item #	Item	Exhibits	Staff Contact
9:00 a.m.	I.	Call to Order		
	II.	Approval of Agenda	Agenda	
	III.	Adjudicatory Session	Closed Session	
	IV.	G.L. c. 112, § 65C Session	Closed Session	
9:20 a.m.	V.	Approval of Minutes A. January 9, 2013 Regularly Scheduled Meeting B. December 12, 2012, Adjudicatory Session C. January 9, 2013 Adjudicatory Session D. January 9, 2013 65C Session	Minutes Minutes Minutes Minutes	
	VI.	Reports A. Chairperson and Board Members' Reports B. Executive Director's Report C. Staff Report 1. Deputy Executive Director 2. Policy and Research 3. Practice 4. Education 5. Complaint Resolution 6. SARP	None Report  Report Report Report Report Report	RH  CR CS LT JMP AF/HC VI/DM

Time	Item #	Item	Exhibits	Staff Contact
	VII.	<b>Consensus Agenda</b> A. NCSBN Update B. Coalition for the Prevention of Medical Errors Update  C. NCLEX 1. 2012 NCLEX performance statistical reports a. Licensure by examination b. Pass rate trends for first-time writers educated in MA c. BRN-approved program performance (first-time writers)  D. Board of Registration in Nursing Annual Report: CY 2012 Major Accomplishments	Memo December 2012 Minutes & January 2013 Report   Table Table Table  Report	LT LT   JMP JMP JMP  RH
	VIII.	<b>Requests for License Reinstatement</b> A. M. Ahr, RN153868; NUR-2012-0050 B. C. DeSesa, RN236113; NUR-2011-0212 C. L. Wellspeak, LN59724; LN-04-188	Request memo	TW/MS
	IX.	<b>A. Resolution of Pending Board Complaints</b> 1. J. Levangie, RN2266113, NUR-2012-0028 2. S. Peters Robinson, LN63083, NUR-2012-0095 3. A. Drumheiser, LN57152, NUR-2012-0180 4. E. Slater, RN197496, NUR-2012-0115 5. M. Edwards, RN189544/LN44915(exp), NUR-2012-0115 6. G. Granshaw, LN36109, NUR-2012-0178 7. S. Kabugo, LN62350, NUR-2012-0227 8. S. Golden, LN43084, NUR-2011-0240 9. K. Campiglio, RN/NP143622, NUR-2012-0132 10. E. O'Reilly, RN213133, NUR-2012-0150 11. B. Rogers, RN/NP/PC126513, NUR-2012-0159 12. S. Bokum, RN257137, NUR-2012-0160 13. P. Murphy, LN35476, NUR-2012-0172 14. M. Ostrom, RN131501 (exp), NUR-2012-0032	Investigative Report (IR) (IR) IR IR IR IR IR IR IR IR IR IR IR	ES/AF ES/AF ES/HC ES/HC ES/HC ES/HC MEM/HC MEM/HC LMM/HC LMM/AF LMM/AF LMM/AF LMM/AF IH/AF



Time	Item #	Item	Exhibits	Staff Contact
	XII.	Review Conflict of Interest Law M.G.L.c. 268, §§. 6 & 23 (b) (3) – Recusals and Disclosures	Memo	MS
	XIII.	Announcements/Other		
2:00 p.m.	XIV.	Adjournment		

**COMMONWEALTH OF MASSACHUSETTS  
BOARD OF REGISTRATION IN NURSING**

239 Causeway Street, Room 417A  
Boston, MA 02114

**Minutes of the Regularly Scheduled Board Meeting  
Wednesday, February 13, 2013**

**Board Members Present**

S. Kelly, RN/NP, Chair  
K. Gehly, RN/NP, Vice Chair  
M. Beal, RN/NM  
P. Gales, RN  
J. Killion, LPN  
B. Levin, RN  
C. Lundeen, RN  
A. Peckham, RN  
E. Richard Rothmund, Public Member  
J. Roy, RN  
C. Tebaldi, RN/NP

**Board Members Not Present**

C. Simonian, PharmD, RPh

**Board Staff Present**

R. Harb, RN, Executive Director  
H. Cambra, RN, JD, Complaint Resolution Coordinator  
A. Fein, RN, JD, Complaint Resolution Coordinator  
V. Iyawe, RN, SARP Coordinator  
D. McLellan, RN, SARP Coordinator  
J. Pelletier, RN, Nursing Education Coordinator  
C. Robertson, RN, Deputy Executive Director  
C. Silveira, RN, Assistant Director for Policy and Research  
M. Strachan, JD, Board Counsel  
L. Talarico, RN/NP, Nursing Practice  
C. Jackson, BA, SARP/MPRS Coordinator

**Board Staff Not Present**

V. Berg, JD, Board Counsel  
T. Westgate, Paralegal

**Guests**

See attached list.

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**TOPIC:**

**Call to Order**

**DISCUSSION:**

A quorum of the Board was present.

**ACTION:**

At 9:04 a.m., S. Kelly, Chairperson, called the February 13, 2013 Regularly Scheduled Board Meeting to order.

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**TOPIC:**

Approval of the Agenda

**DISCUSSION:**

None

**ACTION:**

Motion by E.R. Rothmund, seconded by B. Levin, and unanimously passed to approve the agenda as presented.

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**TOPIC:**

Adjudicatory Session

**DISCUSSION:**

None

**ACTION:**

Motion by E.R. Rothmund, seconded by B. Levin, and unanimously passed by roll call vote to go into Adjudicatory Session at 9:05 a.m. to discuss decisions in pending adjudicatory matters.

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Adjudicatory Session 9:05 a.m. to 9:22 a.m.

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**TOPIC:**

G.L. c. 112, s. 65C Session

**DISCUSSION:**

None

**ACTION:**

Motion by B. Levin, seconded by P. Gales, and unanimously passed by roll call vote to go into G.L. c. 112, s. 65C Session at 9:22 a.m. to discuss negotiated settlements of complaints.

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G.L. c. 112, s. 65C Session 9:22 a.m. to 9:35 a.m.

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**TOPIC:**

Approval of Minutes:

1. Approval of the Minutes of the January 9, 2013, Regularly Scheduled Board Meeting
2. Approval of the Minutes of the December 12, 2012, Adjudicatory Session
3. Approval of the Minutes of the January 9, 2013, Adjudicatory Session
4. Approval of the Minutes of the January 9, 2013, 65C Session

**DISCUSSION:**

None

**ACTION:**

Motion by P. Gales, seconded by B. Levin, and unanimously passed to accept the Minutes of the January 9, 2013, Regularly Scheduled Board Meeting.

Motion by B. Levin, seconded by P. Gales, and unanimously passed to accept the Minutes of the December 12, 2012, Adjudicatory Session.

Motion by A. Peckham, seconded by B. Levin, and unanimously passed to accept the Minutes of the January 9, 2013, Adjudicatory Session.

Motion by E.R. Rothmund, seconded by B. Levin, and unanimously passed to accept the Minutes of the January 9, 2013, 65C Session.

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**TOPIC:**

**Reports**

- A. Chairperson and Board Members' Reports
- B. Executive Director's Report
- C. Staff Reports
  1. Deputy Executive Director
  2. Associate Director for Policy and Research
  3. Practice
  4. Education
  5. Complaint Resolution
  6. SARP

**DISCUSSION:**

- A. Chairperson and Board Members Reports: none
- B. Executive Director's Report: Board members reviewed R. Harb's previously distributed report
- C. Staff Reports:
  1. Board members reviewed C. Robertson's previously distributed report
  2. Board members reviewed C. Silveira's previously distributed report.
  3. Board members reviewed L. Talarico's previously distributed report.
  4. Members reviewed J. Pelletier's previously distributed memo.
  5. Members reviewed A. Fein's and H. Cambra's previously distributed memo.
  6. Board members reviewed V. Iyawe's and D. Mclellan's previously distributed report

**ACTION:**

- A. So noted.
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- B. So noted.
- C. So noted.

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**TOPIC:**

**Consensus Agenda**

- A. NCSBN Update
- B. Coalition for the Prevention of Medical Errors Update
- C. NCLEX
  - 1. 2012 NCLEX performance statistical reports
    - a. Licensure by examination
    - b. Pass rate trends for first-time writers educated in MA
    - c. BRN-approved program performance (first-time writers)
- D. Board of Registration in Nursing Annual Report: CY 2012 Major Accomplishments

**DISCUSSION:**

- A. Board members reviewed L. Talarico's previously distributed memo
- B. Board members were provided the latest report and minutes from the Coalition for the Prevention of Medical Errors.
- C. NCLEX
  - 1. 2012 NCLEX performance statistical reports
    - d. Licensure by examination
    - e. Pass rate trends for first-time writers educated in MA
    - f. BRN-approved program performance (first-time writers)
- D. Board of Registration in Nursing Annual Report: CY 2012 Major Accomplishments: Board members reviewed R. Harb's previously distributed report

**ACTION:**

- A. Accepted by consensus
- B. Accepted by consensus
- C. Accepted by consensus
- D. Accepted by consensus

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**RECESS 10:05 a.m. to 10:17 a.m.**

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**TOPIC:**

**Requests for License Reinstatement**

- A. M. Ahr, RN153868; NUR-2012-0050
- B. C. DeSesa, RN236113; NUR-2011-0212
- C. L. Wellspeak, LN59724; LN-04-188

**DISCUSSION:** Board members reviewed T. Westgate's previously distributed memos which identified the Licensee's previous conduct, admissions, Board action and licensee's compliance with reinstatement terms



**ACTION:**

- A. M. Ahr, RN153868; NUR-2012-0050; Motion by P. Gales, seconded by K. Gehly and unanimously voted to accept licensee's request for reinstatement on the condition that she enters into a standard consent agreement for Probation for six (6) months.
- B. C. DeSesa, RN236113; NUR-2011-0212; Motion by A. Peckham, seconded by P. Gales with S. Kelley recused and J. Killion, M. J. Roy, M. Beal, B. Levin, C. Tebaldi, C. Lundeen opposed to accept the recommendation for reinstatement with one (1) year Probation; motion failed. Motion by C. Tebaldi, seconded by B. Levin with S. Kelley recused and J. Killion and E. R. Rothmund opposed to accept the licensee's request for reinstatement with two (2) years Probation; motion passed.
- C. L. Wellspeak, LN59724; LN-04-188; Motion by P. Gales, seconded by J. Killion and unanimously voted to deny the licensee's request for reinstatement as the RN has not taken responsibility for her conduct and has provided no documentation of her ability to practice in a safe and competent manner.

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**TOPIC:**

- A. Resolution of Pending Board Complaints
  - 1. J. Levangie, RN2266113, NUR-2012-0028
  - 2. S. Peters Robinson, LN63083, NUR-2012-0095
  - 3. A. Drumheiser, LN57152, NUR-2012-0180
  - 4. E. Slater, RN197496, NUR-2012-0177
  - 5. M. Edwards, RN189544/LN44915(exp), NUR-2012-0115
  - 6. G. Cranshaw, LN36109, NUR-2012-0178
  - 7. S. Kabugo, LN62350, NUR-2012-0227
  - 8. S. Golden, LN43084, NUR-2011-0240
  - 9. K. Campiglio, RN/NP143622, NUR-2012-0132
  - 10. E. O'Reilly, RN213133, NUR-2012-0150
  - 11. B. Rogers, RN/NP/PC126513, NUR-2012-0159
  - 12. S. Bokum, RN257137, NUR-2012-0160
  - 13. P. Murphy, LN35476, NUR-2012-0172
  - 14. M. Ostrom, RN131501 (exp), NUR-2012-0032
- B. Resolution of Pending Board Staff Assignments
  - 1. A. Zinchenko, RN/NP216319, SA-INV-2354
  - 2. M. Goslin, LN35640, SA-INV-2355
  - 3. C. Arsenis, RN185013, SA-INV-2646
  - 4. J. Harrison-Bates, RN/NP164610, SA-INV-2623
  - 5. D. Mello, RN/NP164130, SA-INV-2622
  - 6. E. Crawford, RN/NP262916, SA-INV-2938

**DISCUSSION:**

Compliance Officers and the Complaint Resolution Coordinators presented their previously distributed Investigative Reports for Board Review and Action together with relevant clarifications, supplemental information and revised Complaint Resolution Coordinators' recommendations as necessary, if any.

## **ACTION:**

### **A. Resolution of Pending Board Complaints**

1. J. Levangie, RN2266113, NUR-2012-0028 – Motion by B. Levin, seconded by M. Beal and voted unanimously to refer the complaint to the Office of Prosecutions for issuance of an OTSC and adjudication. Alternatively, in final settlement of this matter the Licensee may also be offered a STANDARD CONSENT AGREEMENT for PROBATION of her RN license, for one (1) year that also requires that she submit documentation of her successful completion of six (6) contact hours on Legal and Ethical Aspects of Nursing Practice and six (6) contact hours on Effective Communication in Nursing Practice.
2. S. Peters Robinson, LN63083, NUR-2012-0095 – Motion by E.R. Rothmund, seconded by P. Gales and voted unanimously to refer the complaint to the Office of Prosecutions for issuance of an OTSC and adjudication. Alternatively, in final settlement of this matter the Licensee may also be offered a STANDARD CONSENT AGREEMENT FOR REPRIMAND of his LPN license.
3. A. Drumheiser, LN57152, NUR-2012-0180- Motion by P. Gales, seconded by B. Levin and voted unanimously to refer the complaint to the Office of Prosecutions for issuance of an OTSC and adjudication. Alternatively, in final settlement of this matter the Licensee may also be offered upon substantiation of the successful completion, within 30 days, of six (6) contact hours in Therapeutic Patient Communication, three (3) contact hours on Legal and Ethical Aspects of Nursing, and three (3) contact hours on Critical Thinking and Judgment in Nursing Practice a STANDARD CONSENT AGREEMENT FOR REPRIMAND. Otherwise, offer the Licensee a STANDARD CONSENT AGREEMENT FOR PROBATION of his LPN license for six (6) months that also requires that he submit documentation of his successful completion of six (6) contact hours in Therapeutic Patient Communication, three (3) contact hours on Legal and Ethical Aspects of Nursing, and three (3) contact hours on Critical Thinking and Judgment in Nursing Practice.
4. E. Slater, RN197496, NUR-2012-0177- Motion by E.R. Rothmund, seconded by K. Gehly and voted unanimously to DISMISS the complaint without prejudice based on discipline not warranted.
5. M. Edwards, RN189544/LN44915(exp), NUR-2012-0115- Motion by E.R. Rothmund, seconded by P. Gales and voted unanimously to refer the complaint to the Office of Prosecutions for issuance of an OTSC and adjudication. Alternatively, in final settlement of this matter the Licensee may also be offered a STANDARD CONSENT AGREEMENT for a *NON-DISCIPLINARY* STAYED PROBATION of her RN license, and LPN license if renewed during the pendency of the agreement for a six (6) month period that incorporates the Board's standard probation agreement requirements regarding practice setting restrictions, supervisor verification, supervision and performance evaluations, active practice and continuing education related conditions, as well as successful completion of three (3) contact hours on Patient Abuse, three (3) contact hours on Critical Thinking and Nursing Judgment, .
6. G. Cranshaw, LN36109, NUR-2012-0178- Motion by B. Levin, seconded by J. Killion and voted unanimously to refer the complaint to the Office of Prosecutions for issuance of an OTSC and adjudication. Alternatively, in final settlement of this matter the Licensee may also be offered upon substantiation of the successful completion, within 30 days, of three (3) contact hours in Patient Abuse, and three (3) contact hours in Therapeutic Communication a STANDARD CONSENT AGREEMENT FOR REPRIMAND. Otherwise, offer the Licensee a STANDARD CONSENT AGREEMENT FOR PROBATION of his LPN license for six (6) months that also

requires that she submit documentation of her successful completion of three (3) contact hours in Patient Abuse, and three (3) contact hours in Therapeutic Communication.

7. S. Kabugo, LN62350, NUR-2012-0227- Motion by P. Gales, seconded by B. Levin and voted unanimously to DISMISS the complaint with a NON-DISCIPLINARY CAUTION that all nurses licensed by the Board are required to adhere to the laws, regulations, and standards governing nursing practice including, but not limited to, maintaining the safety of patients at high risk for falls.
8. S. Golden, LN43084, NUR-2011-0240- Motion by J. Killion, seconded by E.R. Rothmund and voted unanimously to refer the complaint to the Office of Prosecutions for issuance of an OTSC and adjudication. Alternatively, in final settlement of this matter the Licensee may also be offered SARP if determined eligible or a STANDARD CONSENT AGREEMENT FOR SURRENDER of her LPN license for indefinite period with reinstatement requirements that also include the standard either/or substance abuse related requirements, documentation of her successful completion of six (6) contact hours on Medication Administration and Documentation in Nursing, three (3) contact hours on Legal and Ethical Aspects of Nursing, three (3) contact hours on Critical Thinking and Judgment in Nursing Practice, and completion of continuing education that satisfies the Board's regulatory requirements for her last two renewal cycles.
9. K. Campiglio, RN/NP143622, NUR-2012-0132- Motion by E.R. Rothmund, seconded by P. Gales and voted unanimously to DISMISS the complaint with a NON-DISCIPLINARY CAUTION that all nurses licensed and authorized by the Board are required to adhere to the laws, regulations, and standards governing advanced nursing practice including, but not limited to, the accurate and timely management of patient's clinical conditions under their care.
10. E. O'Reilly, RN213133, NUR-2012-0150 – Motion by J. Killion, seconded by B. Levin and voted unanimously that based on the Licensee's acknowledgment that she did not properly destroy Vicodin that were located in a locked cabinet in her office and appropriately complete corresponding documentation, as well as her responsibilities as DON to implement effective processes to maintain the control and security of controlled substances, among other requirements, DISMISS the complaint without prejudice with a NON-DISCIPLINARY CAUTION that all nurses licensed by the Board are required to adhere to the standards of nursing practice for handling, destroying and documenting controlled substances under their control and responsibility, and when employed in a nursing management role must comply with Board regulations at 244 CMR 9.03(46) that requires implementation of the necessary measures to maintain the security of controlled substances in accordance with standards, among other responsibilities.
11. B. Rogers, RN/NP/PC126513, NUR-2012-0159 – Motion by K. Gehly, seconded by A. Peckham and voted unanimously that upon verification by board Staff that the Licensee has ANCC certification as a Family Nurse Practitioner (not ANCC certification as a Family Psychiatric-Mental Health Nurse Practitioner): (a) refer the complaint to the Office of Prosecutions for issuance of an OTSC and adjudication and (b) alternatively, in final settlement of this matter the Licensee may also be offered a STANDARD CONSENT AGREEMENT for a *NON-DISCIPLINARY* STAYED PROBATION of her Board authorizations to practice as an NP and as a PC for six (6) months that incorporates the Board's standard probation agreement requirements regarding active RN licensure, practice setting restrictions and continuing education related conditions, *as well as* requires active advanced practice certifications and employment, supervising physician verification, supervision and performance evaluations, and successful completion of six (6) contact hours in Documentation in Advanced Practice Nursing, three (3)

contact hours in Legal and Ethical Aspects of Advanced Practice Nursing and six (6) contact hours on Pharmacotherapeutics for Prescribers.

12. S. Bokum, RN257137, NUR-2012-0160 – Motion by E.R. Rothmund, seconded by P. Gales and voted unanimously to DISMISS the complaint without prejudice based on insufficient evidence to substantiate that the Licensee violated any laws or regulations governing nursing practice provided that the Licensee's written statement denying the allegations of the complaint is received as her attorney confirmed is forthcoming.
13. P. Murphy, LN35476, NUR-2012-0172 – Motion by E.R. Rothmund, seconded by J. Killion and voted unanimously to refer the complaint to the Office of Prosecutions for issuance of an OTSC and adjudication. Alternatively, in final settlement of this matter: (a) if the Licensee submits within thirty (30) days documentation satisfactory to the Board that she has successfully completed six (6) contact hours on Nursing Care and Consideration of Patients with Renal Failure, three (3) contact hours on Safe Medication Administration including Medication Contraindications, three (3) contact hours on Critical Thinking and Clinical Reasoning in Nursing and three (3) contact hours on Legal and Ethical Aspects of Nursing Practice, she may also be offered a STANDARD CONSENT AGREEMENT FOR REPRIMAND of her LPN license; otherwise, (b) the Licensee may be offered a STANDARD CONSENT AGREEMENT FOR PROBATION of her LPN license for six (6) months with requirements that also include documentation satisfactory to the Board of her successful completion of six (6) contact hours on Nursing Care and Consideration of Patients with Renal Failure, three (3) contact hours on Safe Medication Administration including Medication Contraindications, three (3) contact hours on Critical Thinking and Clinical Reasoning in Nursing and three (3) contact hours on Legal and Ethical Aspects of Nursing Practice.
14. M. Ostrom, RN131501 (exp), NUR-2012-0032 – Motion by B. Levin, seconded by P. Gales and voted unanimously to expedite the complaint to the Office of Prosecutions for issuance of an OTSC and adjudication. Alternatively, in final settlement of this matter the Licensee may also be offered SARP if determined eligible or a STANDARD CONSENT AGREEMENT FOR SURRENDER of her RN license and right to renew her nursing license for at least three (3) years with reinstatement requirements that also include the standard substance abuse related requirements, standard criminal activity related requirements, documentation of her successful completion of six (6) contact hours on Documentation in Nursing Practice and six (6) contact hours on Legal and Ethical Aspects of Nursing, and POST-SURRENDER PROBATION for at least two (2) years.

#### B. Resolution of Pending Board Staff Assignments

1. A. Zinchenko, RN/NP216319, SA-INV-2354 – Motion by B. Levin, seconded by K. Gehly and voted unanimously to close the Staff Assignment without further action based on insufficient evidence to substantiate allegations of the Licensee's practice breakdown presented by the report.
2. M. Goslin, LN35640, SA-INV-2355 – Motion by B. Levin, seconded by P. Gales and voted unanimously to close the Staff Assignment without further action based on insufficient evidence to substantiate allegations of the Licensee's practice breakdown presented by the report.
3. C. Arsenis, RN185013, SA-INV-2646 – Motion by M. Beale, seconded by A. Peckham and voted unanimously to close the Staff Assignment without further action based on insufficient evidence to substantiate the allegations of the Licensee's practice breakdown.

4. J. Harrison-Bates, RN/NP164610, SA-INV-2623- Motion by M. Beale, seconded by K. Gehly and voted unanimously to close the Staff Assignment without further action based on insufficient evidence to substantiate the allegations of the Licensee's practice breakdown.
5. D. Mello, RN/NP164130, SA-INV-2622- Motion by E.R. Rothmund, seconded by B. Levin and voted unanimously to close the Staff Assignment without further action based on insufficient evidence to substantiate the allegations of the Licensee's practice breakdown.
6. E. Crawford, RN/NP262916, SA-INV-2938- Motion by B. Levin, seconded by M. Beale and voted unanimously to close the Staff Assignment without further action based on insufficient evidence to substantiate the allegations of the Licensee's practice breakdown.

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**LUNCH RECESS 12:15 p.m. – 12:55 p.m.**

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**TOPIC:**

**Practice**

A. Proposed Revision Advisory Ruling 0801: Withholding Initiation of CPR in LTC

**DISCUSSION:**

Motion by K. Gehly, seconded by B. Levin and voted unanimously to:

1. Find that the AHA CPR guidelines (2010) are consistent with those reviewed in 2008 by the Board, noting that the 2010 AHA guidelines have changed the exemption related to rescuer safety to read "situations where attempts to perform CPR would place the rescuer at risk of serious injury or mortal peril".
2. Retain the Board's 2008 position that, in the context of practice in a Massachusetts long-term care facility with 24-hour skilled nursing staff on duty, current practice standards require the initiation of CPR when a patient or resident has experienced a cardiac arrest **except** when the patient or resident has:
  - a. A current, valid Do Not Resuscitate (DNR) order; ***OR***
  - b. Signs of irreversible death (e.g. decapitation, decomposition, rigor mortis, dependent lividity).
3. Revise Advisory Ruling 0801:
  - a. Incorporate the *Nursing Competencies Related to the Advisory Ruling on the Initiation and Withholding of Cardiopulmonary Resuscitation in Massachusetts* into Advisory Ruling 0801: *Advisory Ruling on the Initiation and Withholding of Cardiopulmonary Resuscitation in Massachusetts Long-term Care Facilities with 24-hour Skilled Nursing Staff on Duty* to create an inclusive document;
  - b. Create a new section entitled Nursing Documentation, relocating the minimum nursing documentation requirements from the Nursing Assessment section;
  - c. Update the citations for Advisory Ruling 0801: *Advisory Ruling on the Initiation and Withholding of Cardiopulmonary Resuscitation in Massachusetts Long-term Care Facilities with 24-hour Skilled Nursing Staff on Duty*;
  - d. Include, as a third condition to not require the initiation of CPR when a patient or resident has experienced a cardiac arrest, "situations where attempts to perform CPR would place the rescuer at risk of serious injury or mortal peril", consistent with the American Heart Association 2010 CPR guidelines; and

- e. Shorten the AR title to Advisory Ruling 0801: *Withholding Initiation of Cardiopulmonary Resuscitation in Long-term Care Facilities*.

Additionally, the Board found the first paragraph under "Nursing Competency Related to Advisory Ruling" unclear and redundant and requested its removal from the Advisory Ruling.

**ACTION:**

Revise Advisory Ruling 0801: *Advisory Ruling on the Initiation and Withholding of Cardiopulmonary Resuscitation in Massachusetts Long-term Care Facilities with 24-hour Skilled Nursing Staff on Duty* consistent with the Board's motions cited above.

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**TOPIC:**

**Education**

- A. 244 CMR 6.04(1)(c) & (f) notifications:
1. Salem State University, BSN & direct entry Masters programs
  2. MassBay Community College, Associate degree program
  3. MassBay Community College, Practical Nursing program
- B. 244 CMR 6.10 notification: MCPHS University
- C. NCLEX-RN Passing Standard
- D. NCSBN Proposed changes to 2014 NCLEX-PN Test Plan
- E. 244 CMR 6.08(1)(h) evaluation related to 2012 NCLEX performance
- F. 244 CMR 6.05(3)(b): Continuation of full Approval status based on 2012 Annual Reports to BRN
1. Staff report and recommendations
  2. Student Numbers (admissions, graduates, and enrollments)
  3. 2013 244 CMR 6.06 survey schedule
- G. 244 CMR 6.08(1)(h): 2011 NCLEX pass rate
1. Salem State University, Baccalaureate Degree Registered Nurse Program
  2. UMass Dartmouth, Baccalaureate Degree Registered Nurse Program

**DISCUSSION:**

- A. Members reviewed J. Pelletier's previously distributed memo.
- B. Members reviewed J. Pelletier's previously distributed memo.
- C. Members reviewed J. Pelletier's previously distributed memo and noted the passing standard for the NCLEX –RN is being raised from -0.16 to 0.0 logits effective April 1, 2013 in conjunction with the implementation of the 2013 NCLEX-RN Test Plan.
- D. Members reviewed J. Pelletier's previously distributed memo and supporting documents from NCSBN. It was noted that: "Client Needs" structure is retained as the framework for the 2014 NCLEX-PN Test Plan; the percentage of test items allocated to each "Client Need" subcategory has been revised; and some of the content listings within each of the proposed test plan categories/subcategories are revised, and new content listings are added.
- E. Members reviewed the table summarizing the 2008-2012 NCLEX pass rates for Board approved nursing education programs with a 2012 NCLEX pass rate less than 80% for first-time writers, noting Anna Maria College discontinued the ADN program, effective August 2012, and established a generic Baccalaureate Degree nursing program and Bay State College was granted Initial Approval July 14, 2010. All other programs with a 2012 NCLEX pass rate of less than 80% were not identified as having demonstrated an ongoing pattern of less than 80% first-time writer pass rates.

- F. Members reviewed the Annual Report Summary Data; Admission, Enrollment, and Graduation Numbers reported by SONs; and the 2013 Survey Schedule for those programs eligible for a 6.06(1) waiver of an on-site survey in lieu of the accreditation survey by CCNE or NLNAC.
- G. 1. Members reviewed J. Pelletier's previously distributed compliance report and SSU's Corrective Action Plan. E. Eaton, was present to answer member questions. Members noted the program initiated actions to improve the NCLEX-RN pass rate prior to 2012. The Program identified several strategies to address decreasing NCLEX-RN pass rates of first-time writers, including, but not limited to: Continued use of standardized testing, however utilizing a new company, Assessment Technologies Institute (ATI) Increasing the pass grade for nursing courses, specifically "C+"; Return to the program policy of allowing only one nursing course failure; and Faculty development in the area of item writing and test construction.
- G.2. The NCLEX-RN pass rates for 2010 and 2011 were 76% and 77% respectively. The Program identified that the drop in NCLEX pass rates that began in 2010 coincided with the change to the Test Plan. Several actions to improve the NCLEX-RN pass rate that are discussed in the Remediation Plan, including but not limited to: The passing grade for nursing courses was raised from a "C-" to a "C"; Decreasing the number of failing credits from 12 to 9 for dismissal from the program; and Increased rigor in the use of the Grade Appeal policy.

#### **ACTION:**

- A. Motion by P. Gales, seconded by M. Beal, and unanimously voted to find compliance with regulation 244 CMR 6.04(1)(c) & (f) in the notification of the appointment Cynthia Kielinen, RN, EdD, Associate Dean, School of Nursing (Program Administrator), Salem State University; Diane Cohen, MS, RN, Program Administrator, Associate Degree Program, MassBay Community College; and Erin Delaney, MSN/ED, RN, Program Administrator, Practical Nursing Program, MassBay Community College.
- B. Motion by E. Rothmund, seconded by B. Levin, and unanimously voted to find compliance with regulation 244 CMR 6.10 in the notification of the name change of the nursing education program at MCPHS University.
- C. No action required.
- D. Motion by E. Rothmund, seconded by B. Levin, and unanimously voted, when providing Board feedback to the Examination Committee, recommend the Massachusetts Board of Registration in Nursing agree with the proposed changes and endorse the Proposed 2014 NCLEX-PN® Test Plan.
- E. Motion by P. Gales, seconded by B. Levin, and unanimously voted to direct J. Pelletier, in accordance with Board Policy 99-03, continue Full Approval status on behalf of the Board to all programs with the exception of those that have not been granted Full Approval Status, and MGH Institute of Health Professions, BSN program, and Regis College, BSN program which will be continued upon receipt of the 244 CMR 6.07(3) notification.
- F. No action required.
- G. 1. Motion by B. Levin, seconded by P. Gales to accept the 2011 NCLEX-RN Performance Report submitted by the Baccalaureate Degree Registered Nurse Program, Salem State University School of Nursing, finding the Program has provided satisfactory evidence of compliance with regulations 244 CMR 6.04, noting that the 2012 NCLEX-RN pass rate for first-time writers was 90%. In taking this action, the program is directed to clarify the written policies for the maintenance and retirement of faculty, student, and graduate records to include the specific contents of these records.
- G. 2. Motion by E. Rothmund, seconded by B. Levin to accept the 2011 NCLEX-RN Performance Report submitted by the Baccalaureate Degree Registered Nurse Program, University of Massachusetts

Dartmouth finding the Program has provided satisfactory evidence of compliance with regulations 244 CMR 6.04(3)(a) 2, (4)(a) and (b), and (5), noting that the 2012 NCLEX-RN pass rate for first-time writers was 89%.

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**TOPIC:**

**Review Conflict of Interest Law M.G.L. c. 268, §§. 6&23 (b) (3) - Recusals and Disclosures**

**DISCUSSION:**

Board counsel and Board members reviewed the law and the process by which to determine when recusal/disclosure is necessary as well as notice requirements and the requirement that a member actually leave the room for both discussion and vote if recused.

**ACTION:**

None

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**TOPIC:**

Adjournment

**DISCUSSION:**

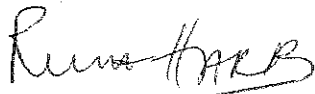
None

**ACTION:**

Motion by E.R. Rothmund, seconded by J. Killion, and passed unanimously to adjourn the meeting at 1:45 p.m.

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Respectfully submitted by:



Rula Harb, MS, RN, Executive Director  
Board of Registration in Nursing

Reviewed by: Mary Strachan, Board Counsel  
Board of Registration in Nursing